

**COMMITTEE ON COUNCIL
MINUTES
AUGUST 15, 2011**

The Regularly Scheduled Meeting of the Committee on Council was held on Monday, August 15, 2011 in Committee Room #2.

Chairperson Moore recognized a quorum was present and the meeting convened at 11:24 a.m.

The Following Committee Members were Present

**The Honorable Felicia A. Moore, Chair
The Honorable Joyce M. Sheperd, Vice-Chair
The Honorable Yolanda Adrean
The Honorable Natalyn M. Archibong
The Honorable Kwanza Hall**

The Following Committee Member was not Present

The Honorable Cleta Winslow

Others in attendance were Rhonda Johnson, Municipal Clerk Saul Schultz, Law Department; General Public, Members of the Press, and Council Staff.

A. ADOPTION OF AGENDA

The Agenda was amended to include one (1) Resolution, 11-R-1166. The agenda was Adopted as amended.

B. APPROVAL OF MINUTES

The Minutes for the July 18, 2011 Committee on Council Meeting were Approved without objection.

C. ADOPTION OF FULL COUNCIL AGENDA

The Full Council Agenda for August 15, 2011 was Adopted without objection.

DISCUSSION ITEM NOT ON THE AGENDA

In reference to 11-R-1166, the Municipal Clerk Rhonda Johnson informed the Committee that as of today, the redistricting process has begun with this resolution and that on Friday, August 19, 2011, there will be a lunch-n-learn session for the Council. She also told the Committee that she had drafted a proposed schedule and needed them to review it to be discussed and confirmed at the lunch-n-learn. A public information session is tentatively scheduled for September 15, 2011. There are two other Public Hearings and at least two Council worksessions tentatively scheduled. If confirmed, the Charter amending ordinance would be adopted on December 5, 2011. It would then be forwarded to the Justice Department and without a delayed response, would be effective February 18, 2012. If there is a delayed response, the Justice Department has 60 days to respond and that would move the effective date to April 18, 2012. If all goes well, everything should be approved by August 25, 2012, in time for the beginning of the qualifying period for the 2013 Election, August 26, 2013. She stated that all of the discussed information will be published on the City Website.

In reference to 11-O-1144, the Municipal Clerk Rhonda Johnson informed the Committee that a Special Election will be held on November 8, 2011, for the vacated Board of Education Seat 2. She stated that qualifying was held August 3, 4 and 5, 2011 and that there were 6 candidates, 5 of which will be forwarded to the Fulton County to be placed on the ballot. One candidate has withdrawn.

REGULAR REPORT

D. COMMUNICATIONS

11-C-1068 (1) A Communication by Mayor Kasim Reed appointing **Mr. George F. Maynard, Esq.** to serve as a Procurement Appeals Hearing Officer on behalf of the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Finance/Executive Committee 7/27/11.)**

FAVORABLE (5 YEAS) (0 NAYS)

11-C-1070 (2) A Communication by Mayor Kasim Reed re-appointing **Mr. Kwame T. Thompson, Esq.** to serve as a Procurement Appeals Hearing Officer on behalf of the City of Atlanta. This re-appointment is for a term of two (2) years retroactive to May 04, 2011 and expires on May 04, 2013. This re-appointment is scheduled to begin on the date of Council confirmation. **(Favorable by Finance/Executive Committee 7/27/11.)**

FAVORABLE (5 YEAS) (0 NAYS)

11-C-1071 (3) A Communication by Mayor Kasim Reed re-appointing **Ms. Anna Foote** to serve as a member of the Atlanta Development Authority on behalf of the Atlanta Planning Advisory Board (APAB). This re-appointment is for a term of two (2) years retroactive to October 20, 2010 and expires on October 20, 2012. This re-appointment is scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 7/26/11.)**

FAVORABLE (4 YEAS) (0 NAYS) (1 ABSTENTION)

REGULAR REPORT

D. COMMUNICATIONS (CONT'D)

- 11-C-1072 (4) A Communication from Mark Massey, Clerk of the Fulton County Board of Commissioners, to Council President Ceasar C. Mitchell, submitting the Board's nomination of **Mr. David M. Holder** (Position 2) to serve as the County's representative on the BeltLine Affordable Housing Advisory Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 7/26/11.)**

FAVORABLE (5 YEAS) (0 NAYS)

- 11-C-1117 (5) A Communication by Councilmembers Ivory L. Young, Jr., District 3; Cleta Winslow, District 4; and Michael J. Bond, Post 1 At-Large appointing **Ms. L. Danielle Carney** to serve as a member of the Water and Sewer Appeals Board, scheduled to begin on the date of Council confirmation. **(Forwarded with no recommendation by City Utilities Committee 7/26/11.)**

FAVORABLE (5 YEAS) (0 NAYS)

- 11-C-1143 (6) A Communication by Council President Ceasar C. Mitchell and Councilmembers Yolanda Adrean and Felicia A. Moore to all members of the Atlanta City Council requesting that the Council accept and issue a formal letter of reprimand to Atlanta Municipal Clerk, Rhonda Dauphin Johnson and that said letter be placed in her personnel file.

FAVORABLE (4 YEAS) (1 NAY)

Following comments from the public, Chairperson Moore read the president's recommended letter of reprimand regarding Ms. Johnson. She also stated that it is the same letter that was read at the July 18, 2011 Full Council meeting that did not receive enough votes to be approved because only eight councilmembers were present. Chairperson Moore stated that she was not supportive of the letter and that she wanted the record to reflect her comments as to the reason for her position. Chairperson Moore stated that it is not that she isn't in support of a reprimand, but further stated that based upon the facts that were presented the penalty should be harsher than just a letter placed in her personnel file. She told the Committee that she requested the letter be sent to the Committee so that some kind of action would be taken. Chairperson Moore then opened the floor for discussion by members of the committee. Councilmember Adrean made a motion to approve. The Chair stated that this vote would approve placing the letter in Ms. Johnson's personnel file and that she believes there should be some form of disciplinary action taken against Ms. Johnson. Chairperson Moore stated that she was voting "no" for those reasons.

Councilmember Archibong asked if the action the Committee will take today would preclude the Chair from introducing another piece of legislation recommending a more harsh action. Chairperson Moore stated that in her opinion this may be the extent to which the majority of the Council wants to go and that her suggestion would be a suspension without pay for some period of time. Councilmember Archibong stated that maybe this gives the Committee the opportunity to take a look at the position of the Director of Council and the Municipal Clerk.

The vote on the motion to accept the President's letter of reprimand to the Municipal Clerk and to place the letter into her personnel file was favorable by a vote of 4 yeas (Archibong, Adrean, Sheperd and Hall); 1 nay (Moore).

REGULAR REPORT

E. ORDINANCE FOR FIRST READING

- 11-O-1144 (1) An Ordinance by Committee on Council authorizing the Mayor to enter into a contract among the City of Atlanta, the Atlanta Board of Education and Fulton County for the conduct of a Special Election to be held on November 8, 2011 and if necessary a Run-off Election to be held on December 6, 2011 to fill the vacancy in the Atlanta Board of Education District Two (2) position; providing that the Atlanta Board of Education will pay all costs and expenses of the Special Election to Fulton County and the City of Atlanta; to appoint the Fulton County Board of Registration and Elections as Municipal Election Superintendent, for the purpose of conducting said election, as Absentee Ballot Clerk and as Municipal Registrar; and for other purposes.

TO BE REFERRED TO COMMITTEE ON COUNCIL

F. ORDINANCE FOR SECOND READING

- 11-O-1062 (1) An Ordinance by Committee on Council to amend the 2001 City of Atlanta Precincts and Polling Places in precincts 02C, 03C, 03G, 04G, 04V, 06A, 07N, 08C, 08H, 08J, 09A, 09F, 11J and 11N to make permanent relocations as a result of completed renovations, inadequate heating and air conditioning issues at existing facilities; safety issues and name changes; and for other purposes.

FAVORABLE (5 YEAS) (0 NAYS)

G. RESOLUTION

- 10-R-1067 (1) A Resolution by Community Development/Human Resources Committee to confirm the appointment of **Mr. Bill Rasul** to the Metropolitan Parkway Tax Allocation District Advisory Committee; and for other purposes. **(Recommendation to file by Community Development/Human Resources Committee 7/26/11.)**

FILED (5 YEAS) (0 NAYS)

H. PAPERS HELD IN COMMITTEE

- 10-O-0133 (1) An Ordinance by Councilmember Felicia A. Moore **as substituted by Committee on Council** to amend Section 2-41 of the Code of Ordinances of the City of Atlanta, Georgia which is currently entitled "Proclamations and Citations" by creating a new Section 2-41 and changing the catchline to "Legislation and Other Items for Consideration by Council" which code

H. PAPERS HELD IN COMMITTEE (CONT'D)

section shall set forth the process by which legislation and other items for consideration by the Council shall be presented to the Council; to re-designate Code Section 2-41 as Code Section 2-41.1; to waive conflicting ordinances and code sections; and for other purposes. **(Substituted and held 1/19/10 by the Committee for further discussion and review.)**

10-C-0611 (2) A Communication from Mr. Michael B. Wright, Sr., Executive Director, Concerned Black Clergy of Metropolitan Atlanta, Inc. to Municipal Clerk Rhonda Dauphin Johnson, submitting their nomination of **Reverend Richard H. Cobble** to serve as a member of the Reverend James Orange Commission, scheduled to begin on the date of Council confirmation. **(Held 5/3/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**

10-C-1430 (3) A Communication from Thomas W. Cole, Jr., Interim President, Interdenominational Theological Center, to Municipal Clerk Rhonda Dauphin Johnson: submitting their appointment of **Dr. Riggins Earl, Jr.** to serve as a member of the Appeal for Human Rights and the Atlanta Student Movement. **(Held 9/7/10 to give appointee the opportunity to come before the Committee.)**

10-C-1748 (4) A Communication from Sam A. Williams, President, Metro Atlanta Chamber, to Municipal Clerk Rhonda Dauphin Johnson, submitting the appointment of **Mr. Bill Clement** to serve as a member of the John Portman and Herman Russell Commission. **(Held 10/4/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**

10-C-1807 (5) A Communication by Councilmembers Carla Smith, District 1; Kwanza Hall, District 2; Ivory Lee Young, Jr., District 3; Cleta Winslow, District 4 and Michael Julian Bond, Post 1 At-large; appointing **Rev. Bernice King** to serve as a member of the Xernona Clayton Commission, scheduled to begin on the date of Council confirmation. **(Held 10/18/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**

10-C-1818 (6) A Communication by Council President Ceasar C. Mitchell, to Municipal Clerk Rhonda Dauphin Johnson, appointing **Mr. Eugene J. Duffy** to serve as a member of the Mr. John Portman and Mr. Herman Russell Commission. **(Held 11/1/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**

10-C-1885 (7) A Communication from the Chair of NPU-M to Municipal Clerk Rhonda Dauphin Johnson, submitting the nomination of **Ms. Lydia Meredith** to serve as a member of the Xernona Clayton Commission, scheduled to begin on the date of Council confirmation. **(Held 11/1/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**

H. PAPERS HELD IN COMMITTEE (CONT'D)

- 10-C-1907 (8) A Communication from **Mr. A. J. Robinson, President,** Central Atlanta Progress, Downtown Improvement District, to Municipal Clerk Rhonda Dauphin Johnson, appointing himself as representative to serve as a member of the John Portman and Herman Russell Commission. **(Held 11/15/10 by the Committee to allow the appointee an opportunity to appear before the Committee.)**
- 10-O-2101 (9) An Ordinance by Councilmember Michael Julian Bond to amend Chapter 114, Personnel, Article IV, Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to create a Director of Research and Policy in the Department of City Council, Office of Council Staff; and for other purposes. **(Held 12/6/10 by the Committee for further review.)**
- 10-O-2103 (10) An Ordinance by Councilmember Michael Julian Bond to amend Chapter 114, Personnel, Article IV, Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain position creations and reclassifications in the Department of City Council, Office of Council Staff; and for other purposes. **(Held 12/6/10 by the Committee for further review.)**
- 11-C-0668 (11) A Communication by Mayor Kasim Reed appointing **Jo Ann J. Macrina, PE,** to serve as Commissioner of the Department of Watershed Management for the City of Atlanta. This appointment is effective upon Council confirmation. **(Favorable by City Utilities Committee 6/14/11; Held 6/20/11 by the Committee for further discussion; Continue to hold 7/18/11 1 nay vote – Moore.)***(extensive comments from the July 18, 2011 Committee on Council meeting are included in the July 18, 2011 minutes.)*
- 11-R-0670 (12) A Resolution by Committee on Council to express the intent of the City Council to revise the job description of the Director of Council Staff and once revised, to open the position to applicants, to conduct interviews and to select the successful candidate; and for other purposes. **(Accepted and held 4/18/11 by the Committee for further discussion and additional information.)**
- 11-R-0794 (13) A Resolution by Councilmembers C. T. Martin, Joyce M. Sheperd and Yolanda Adrean, authorizing the creation of a City Wide Commission to study current methods, alternatives, locations and best practices for honoring citizens in the City of Atlanta; and for other purposes. **(Held 6/6/11 by the Committee for further discussion.)**
- 11-R-0954 (14) A Resolution by Committee on Council to express the intent of the City Council to revise the job description of the Municipal Clerk and once revised, to open the position to applicants, to conduct interviews and to select the successful candidate; and for other purposes. **(Held 6/20/11 by the Committee for further discussion and additional information.)**

I. ITEM(S) NOT ON AGENDA

RESOLUTION

11-R-1166 (1)

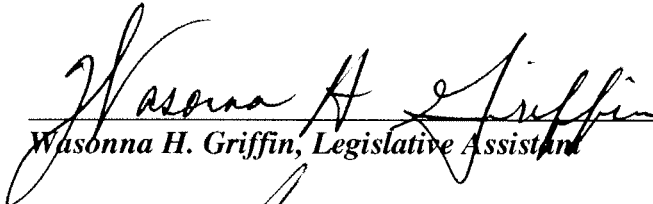
A Resolution by Committee on Council to express the intent of the Atlanta City Council to start the 2011 Redistricting Process of amending Council District Boundaries as a result of the 2010 Decennial Census as required by Atlanta City Charter Section 5-202, "Reapportionment of Council Districts."

FAVORABLE (5 YEAS) (0 NAYS)

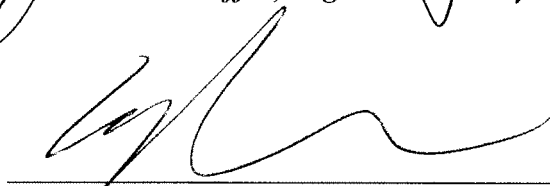
ADJOURNMENT

There being no further business before the Committee, the meeting was adjourned at 12:28 p.m.


Respectfully Submitted:



Wasonna H. Griffin, Legislative Assistant



Bernard Thomas, Research & Policy Analyst



The Honorable Felicia A. Moore, Chair
Committee on Council